

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**IN RE: CAPACITORS ANTITRUST  
LITIGATION**

**INDIRECT PURCHASER PLAINTIFFS**

*Movant,*

**v.**

**ALLIED ELECTRONICS, INC.**

*Respondent.*

**Civil Action No: 3:16-MC-0001-B**

**Action Pending in:  
Northern District of California  
3:14-cv-03264-JD**

**AGREED ORDER**

Before the Court is Movant Indirect Purchaser Plaintiffs' ("IPPs") motion to compel Respondent Allied Electronics, Inc.'s ("Allied") compliance with a third-party subpoena. The parties agree as follows:

1. Allied will provide the IPPs, via password-protected encrypted flash drive (or similar method), with electronic transactional data for the sale of capacitors.<sup>1</sup> The transactional data will include the following information:

- a. Date of sale;
- b. Sales order number (billed/invoice);
- c. Customer identification number;
- d. Quantity sold;
- e. Cost;

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<sup>1</sup> "Capacitors" is defined to include the following dielectric capacitor subcategories: tantalum electrolytic capacitors; aluminum electrolytic capacitors (Tantalum electrolytic and aluminum electrolytic capacitors are also referred to as "Electrolytic Capacitors"); ceramic capacitors (capacitors which use a ceramic material as the dielectric including, but not limited to, multi-layer ceramic capacitors ("MLCCs")); and film capacitors.

- f. Whether the transaction was a resale;
- g. Manufacturer part number; and
- h. Manufacturer or vendor name.


2. Allied will provide the IPPs with such information in electronic format no later than March 1, 2016. Allied will inform the IPPs on or before Friday, January 29, 2016 whether it will meet the March 1, 2016 deadline. If Allied does not represent by January 29, 2016 that it will meet the March 1, 2016 deadline, this Order will dissolve and the IPPs will be free to re-urge or refile their motion to compel.

3. Should Allied ever represent after January 29, 2016 that it cannot or may not be able to provide the information by March 1, 2016, this Order will dissolve and the IPPs will be free to re-urge or refile their motion to compel.

4. The data that Allied provides will be designated “CONFIDENTIAL – ATTORNEYS’ EYES ONLY” and is entitled to all protections that the Protective Order, (attached as Exhibit 1), provides to material designated as “CONFIDENTIAL – ATTORNEYS’ EYES ONLY.”

5. Allied’s compliance with this Order constitutes compliance with the third-party subpoena that the IPPs served on Allied on July 16, 2015 in the underlying litigation.

SO ORDERED on this 25th day of January, 2016.

  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE

AGREED:

/s/ Warren T. Burns

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